

TELECOPY COVER SHEET

RAUSCHENBACH PATENT LAW GROUP, LLC
ATTORNEYS AT LAW

TO: Quyen Phan Leung
AT: United States Patent and Trademark Office
Art Unit: 2828

TEL: 571.272.1943
FAX: 703.872.9306

RECEIVED
CENTRAL FAX CENTER
DEC 16 2004

FROM: Kurt Rauschenbach, Ph.D.
DATE: December 16, 2004
RE: Response to Office Action Mailed on November 3, 2004
CLIENT: USSN: 10/005,065 (OPT-003)
PAGES: 25 (Including this Cover Sheet)

COMMENTS.

Dear Examiner Quyen Phan Leung:

Thank you for speaking with me today about the response for the above referenced patent application. As we discussed, attached are copies of the Transmission Report, Amendment and Response, and related papers for the above-identified application that were sent to your attention on November 29, 2004.

Should you have any questions or comments, please do not hesitate to contact me.

Thank you,
Kurt Rauschenbach

This facsimile is subject to attorney-client privilege and contains confidential information intended only for the person(s) named above. If you have received this facsimile in error, please notify us immediately by telephone and destroy the original transmission without making a copy.

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1380
CONNECTION TEL 17038729306
SUB-ADDRESS
CONNECTION ID
ST. TIME 11/29 22:38
USAGE T 06'53
PGS. 23
RESULT OK

JO SHIRLEY PHILLIPS
Bedford, MA 01730
781.271.1503 TEL
781.271.1527 FAX
www.rauschenbach.com

TELECOPY COVER SHEET

RAUSCHENBACH PATENT LAW GROUP, LLC
ATTORNEYS AT LAW

TO: Quyen Phan Leung
AT: United States Patent and Trademark Office
Art Unit: 2826

TEL: 571.272.1943
FAX: 703.872.9306

FROM: Kurt Rauschenbach, Ph.D.
DATE: November 29, 2004
RE: Response to Office Action Mailed on November 3, 2004
CLIENT: USSN: 10/005,065 (OPT-003)
PAGES: 23 (Including this Cover Sheet)

COMMENTS.

Dear Examiner Quyen Phan Leung:

Attached are an Amendment and Response and related papers for the
above-identified application.

Thank you,
Kurt Rauschenbach

TELECOPY COVER SHEET

RAUSCHENBACH PATENT LAW GROUP, LLC
ATTORNEYS AT LAW

TO: Quyen Phan Leung
AT: United States Patent and Trademark Office
Art Unit: 2828

TEL: 571.272.1943
FAX: 703.872.9306

FROM: Kurt Rauschenbach, Ph.D.
DATE: November 29, 2004
RE: Response to Office Action Mailed on November 3, 2004
CLIENT: USSN: 10/005,065 (OPT-003)
PAGES: 23 (Including this Cover Sheet)

COMMENTS.

Dear Examiner Quyen Phan Leung:

Attached are an Amendment and Response and related papers for the
above-identified application.

Thank you,
Kurt Rauschenbach

*This facsimile is subject to attorney-client privilege and contains confidential information intended only for
the person(s) named above. If you have received this facsimile in error, please notify us immediately by
telephone and destroy the original transmission without making a copy.*

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMG 0851-0031

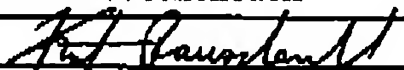
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/005,065	
	Filing Date	12/4/2001	
	First Named Inventor	KRASULICK	
	Art Unit	2828	
	Examiner Name	Quyên Phan Leung	
Total Number of Pages in This Submission	23	Attorney Docket Number	OPT-003

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet (1 pg.).
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Kurt Rauschenbach
Signature	
Date	November 29, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Kurt Rauschenbach		
Signature		Date	November 29, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 18.00**Complete If Known**

Application Number	10/005,065
Filing Date	12/4/2001
First Named Inventor	Krasulick
Examiner Name	Quyen Phan Leung
Art Unit	2828
Attorney Docket No.	OPT-003

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

501211

Rauschenbach Patent Law Group, LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
33	20** = 1	18.00	18.00
5	3** = 0	43.00	0.00
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	66	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	66	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 18.00

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00**SUBMITTED BY**

Name (Print/Type) Kurt Rauschenbach

Registration No.
(Attorney/Agent)

40,137

(Complete if applicable)

Telephone 781.271.1503

Signature



Date

11/29/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.